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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,412	06/24/2004	Gery Verwimp	2001P24459WOUS	2081

7590 08/07/2007  
Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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ANDREWS, LEON T

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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08/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/500,412	<b>Applicant(s)</b> VERWIMP, GERY	
	<b>Examiner</b> Leoni Andrews	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 8-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) ✓<br>Paper No(s)/Mail Date <u>6/24/2004</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Abstract**

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it contained legal phraseology such as "said". See MPEP § 608.01(b).

Correction is required.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 1** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Regarding Claim 1**, the term “network element” is used interchangeably and it is unclear as to what is meant.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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**Claims 8-17** are rejected under 35 U.S.C. 102(b) as being anticipated by **Leung et al.** (Pub. No.: US 2001/0053218 A1).

**Regarding Claim 8 (as best understood)**, Leung et al. discloses a method for exchanging a network element in a signaling network (method for providing communication between signaling points (SPs) (network element) in a signaling network, paragraph [0025], page 2, lines 2-3), comprising:

directing all transaction reports between the network element to be exchanged and the signaling network (signaling transaction is established between first, second and third SPs of the signaling network, paragraph [0025], page 2, lines 6-9) via the exchange network element (Fig. 1, SP A, first SP, paragraph [0025], page 2, line 6), the exchange network element (Fig. 1, SP A, first SP, paragraph [0025], page 2, line 6) and the network element to be exchanged (Fig. 1, SP B, second SP, paragraph [0025], page 2, line 7) using the same identifying code (second SP communicates message containing first SP identification information and a unique call identifier, paragraph [0025], page 2, lines 14-17);

determining whether a transaction report (originating signaling transaction between SP A and SP B, paragraph [0055], page 3, lines 4-5) arriving from the signaling network is intended for the network element to be exchanged or the exchange network element itself (second SP determining that the query received from the first SP should be handled by the third SP and communicates with the first SP a wait for instruction message, paragraph [0026], page 2, lines 35-38) and is decided by the network element to be exchanged (second SP communicates with

the first SP that it is terminating the communication link with the first SP and that the first SP will be receiving a message from the third SP, paragraph [0026], page 2, lines 37-40); and

forwarding the transaction report to the network element to be exchanged for further processing and otherwise further processing in the exchange network element depending on the decision in the network element to be exchanged (second SP communicates to the third SP a message containing first SP identification information and a unique identifier, and also indicating that the second SP is terminating signaling transaction between the second SP and the third SP and further providing a directive for the third SP to send a message to the first SP containing the call identifier, paragraph [0026], page 2, lines 40-46).

**Regarding Claim 9**, Leung et al. discloses the network elements, on transmission of transaction reports for initiation of functions in another network element transmit an identification code identifying the sending network (when the first SP receives the message from the third SP, a new signaling is created between the first SP and the third SP linking the call identifier with the new signaling transaction, paragraph [0026], page 2, lines 23-26) and transmit a transaction code (all SPs are assigned discrete point codes, paragraph [0002], page 1, lines 18-19; "TC Correlate" which contains SP A's point code and subsystem number and also the originating transaction ID of SP A, paragraph [0039], pages 2 and 3, lines 2-4).

**Regarding Claim 10**, Leung et al. discloses the transaction code of a transaction code report (all SPs are assigned discrete point codes and subsystem numbers, paragraph [0002], page 1, line 18-19) is registered in the network element (discrete point codes and subsystem numbers assigned to

SPs {are thus registered in the SPs}, paragraph [0002], page 1, lines 18-19).

**Regarding Claim 11**, Leung et al. discloses the transaction code of a transaction code report (all SPs are assigned discrete point codes and subsystem numbers, paragraph [0002], page 1, line 18-19) is changed in the network element (SPs are assigned discrete point codes and subsystem numbers, but the subsystem numbers used to identify the user function {are thus changed since they are dependent upon the user function}, paragraph [0002], page 1, lines 18-20; unique transaction identifications (IDs) are assigned to different transactions, paragraph [0004], page 1, lines 6-7).

**Regarding Claim 12, 13 and 14**, Leung et al. discloses a transaction code (all SPs are assigned discrete point codes, paragraph [0002], page 1, lines 18-19) which can uniquely identify the transaction report (unique transaction identifications (IDs) are assigned to different transactions, paragraph [0004], page 1, lines 6-7) is issued by a network element (SPs assign discrete point codes, paragraph [0002], page 1, lines 18-19) for a transaction report (originating signaling transaction between SP A and SP B, paragraph [0055], page 3, lines 4-5).

**Regarding Claim 15**, Leung et al. discloses SS#7 used as the signaling protocol (signaling transactions in the SS7 protocol, paragraph [0033], page 2, lines 1-2).

**Regarding Claim 16**, Leung et al. discloses the part of the signaling protocol used is the part for processing addresses (parameters are set in accordance with standard signaling protocol, SS7, a

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subset of which, TCAP provides the function of transferring between SPs (source and destination addresses), paragraph [0003], page 1, lines 3-7 and paragraph [0004], page 1, lines 1-3; the first trend in the telecommunication industry (SS7) is SSP is service processing logic is migrating from SSPs to databases, paragraph [0021], page 1, lines 7-10) when forwarding a transaction report (originating signaling transaction between SP A and SP B, paragraph [0055], page 3, lines 4-5).

**Regarding Claim 17**, Leung et al. discloses one of the network elements is specified as a Signaling Transfer Point (Signal Transfer Points (STPs) which are nodes at which signaling messages are transferred, paragraph [0002], page 1, lines 16-17).

***Citation of Pertinent Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Blatchford et al.** (Patent Number: US 5,384,840) discloses telecommunications system SS7 signaling interface with signal transfer capability.

**McGrew** (Patent Number: US 6,717,940 B1) discloses message transfer part level three alias point codes.



*Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon Andrews whose telephone number is (571) 270-1801. The examiner can normally be reached on Monday through Friday 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rao S. Seema can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LA/la *LA*  
July 27, 2007

*Seema S. Rao*  
8/3/07  
SEEMA S. RAO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600